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UNITED STATES DISTRICT COURT DISTRICT OF SOUTH DAKOTA SOUTHERN DIVISION

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The Court having issued its Order dated this date, it is hereby ORDERED, ADJUDGED and DECREED that the above-captioned matter be DISMISSED, with prejudice and on the merits, with Plaintiff taking nothing thereunder.

Dated April 5, 2011.

BY THE COURT:

John H. Simko

United States Magistrate Judge